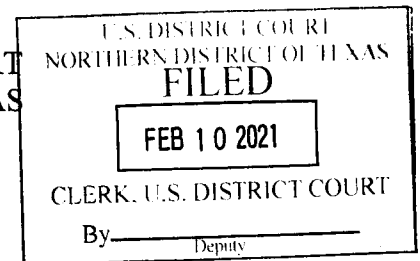


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



CHRISTOPHER LEE GAITHER,

Plaintiff,

v.

RAY D. CRUZ, *et al.*,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§

2:15-CV-104-Z

**ORDER**

On January 6, 2021, the United States Magistrate Judge entered findings and conclusions (ECF No. 129) on Defendants' McBroom, Gratz and Cruz's Joint Motion for Summary Judgment (ECF No. 113) and Defendant Smith's Motion for Summary Judgment for Failure to Exhaust Administrative Remedies (ECF No. 91). The Magistrate Judge RECOMMENDS that these motions be GRANTED. The findings and conclusions were originally returned from Plaintiff's last known address as undeliverable, but the findings and conclusions were remailed. (ECF No. 130). The time for filing objections, considering the new mailing, has passed and Plaintiff did not file objections to the findings, conclusions, and recommendation.

After making an independent review of the pleadings, files, and records in this case and the findings, conclusions, and recommendation of the Magistrate Judge, the Court concludes that the findings and conclusions are correct. It is therefore ORDERED that the findings, conclusions, and recommendation of the Magistrate Judge are ADOPTED. Plaintiff's claims are DISMISSED.

**SO ORDERED.**

February 10, 2021.

  
MATTHEW J. KACSMARYK  
UNITED STATES DISTRICT JUDGE